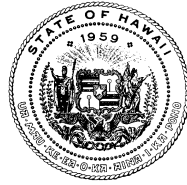


# SB535

Measure Title:	RELATING TO PHARMACISTS PRESCRIBING AND DISPENSING OF OPIOID ANTAGONIST.
Report Title:	Opioid Antagonist; Pharmacists; Prescribing, Dispensing
Description:	Clarifies the scope of practice of the pharmacist to authorize pharmacists to prescribe and dispense an opioid antagonist to patients, and family members and caregivers of opioid patients.
Companion:	<a href="#">HB700</a>
Package:	None
Current Referral:	CPH
Introducer(s):	BAKER, S. CHANG, ENGLISH, FEVELLA, K. RHOADS, K. Kahele, Riviere, Shimabukuro



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of (SB 0535)  
RELATING TO PHARMACISTS PRESCRIBING AND DISPENSING OF OPIOID  
ANTAGONIST**

SENATOR ROSALYN H. BAKER, CHAIR  
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Hearing Date: February 21, 2019

Room Number: 229

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health (DOH) defers to the Board of Pharmacy on  
3 the implementation of SB 0535 however we offer strong support the intent of this measure since  
4 it aligns with objectives from the Hawaii Opioid Initiative. This measure amends §461-11.8,  
5 Hawaii Revised Statutes to enable pharmacists to prescribe an opioid antagonist in the name of  
6 the individual who is requesting the opioid antagonist and to allow pharmacist to prescribe an  
7 opioid antagonist to any individual who requests them.

8 Pursuant to Act 154 HSL 2018 which SB 0535 amends, so far these steps were achieved:

- 9 1. The University of Hawaii School of Pharmacy has developed a training program  
10 for pharmacists approved by the Accreditation Council for Pharmacy Education  
11 (ACPE). To date twenty-five (25) pharmacists have taken this training and others  
12 have obtained ACPE-approved training through other programs.
- 13 2. The Hawaii Opioid Initiative's Pharmacy-Based Interventions Workgroup has  
14 developed fully-vetted written educational material on risk factors of opioid  
15 overdose, signs of an overdose, overdose response steps, and the use of the opioid  
16 antagonist.

17 The DOH also supports adding other individuals who request an opioid antagonist. The  
18 U.S. Food and Drug Administration encourages broader dissemination of opioid antagonists to  
19 combat the U.S. opioid crisis, and SB 0535 is consistent with that goal.

20 Thank you for the opportunity to provide testimony.

**Testimony of the Board of Pharmacy**

**Before the  
Senate Committee on Commerce, Consumer Protection, and Health  
Thursday, February 21, 2019  
9:00 a.m.  
State Capitol, Conference Room 229**

**On the following measure:  
S.B. 535, RELATING TO PHARMACISTS PRESCRIBING  
AND DISPENSING OF OPIOID ANTAGONIST**

Chair Baker and Members of the Committee:

My name is Lee Ann Teshima, and I am the Executive Officer of the Board of Pharmacy (Board). The Board supports this bill.

The purpose of this bill is to clarify the scope of practice of the pharmacist to authorize pharmacists to prescribe and dispense an opioid antagonist to patients, family members, and caregivers of opioid patients.

During the summer, the Board established a Pharmacy Working Group (Group), which consisted of major stakeholders in the pharmacy industry, including, but not limited to, representatives from both local independent and chain store pharmacies, the medical community, the Department of Health, the Department of Public Safety's Narcotics Enforcement Division, and the insurance industry. In particular, the Group discussed legislation introduced during the 2018 legislative session, including those measures that were enacted as law, those that did not pass, and other measures that affected the pharmacy scope of practice.

For the Committees' information, one of the many topics discussed was Act 154, Session Laws of Hawaii (SLH) 2018. Act 154, SLH 2018 authorizes pharmacists to prescribe, dispense, and provide related education on opioid antagonists to individuals at risk of opioid overdose and to family members and caregivers of individuals at risk of opioid overdose without the need for a written, approved collaborative agreement; subject to certain conditions.

The Group determined that in addition to family members, caregivers, or the individuals at risk for an opioid antagonist, further clarification is needed with respect to the name on the prescription written by the pharmacist and to whom the opioid

antagonist can be dispensed. The Group appreciates the bill's inclusion of the language "the individual who is requesting the opioid antagonist" on page 2, lines 12-13, as the Group had previously recommended this language. This amendment would allow for more access to the opioid antagonist and may also maintain an individual's privacy if he or she is the individual who is at risk for an opioid overdose and is "requesting" the opioid antagonist.

Thank you for the opportunity to testify on this bill.

Testimony of  
Jonathan Ching  
Government Relations Specialist

Before:  
Senate Committee on Commerce, Consumer Protection, and Health  
The Honorable Rosalyn H. Baker, Chair  
The Honorable Stanley Chang, Vice-Chair

February 21, 2019  
9:00 a.m.  
Conference Room 229

**Re: SB535, Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonists**

Chair Baker, Vice-Chair Chang, and committee members, thank you for this opportunity to provide testimony on SB535, which clarifies the scope of registered pharmacists' practices by allowing registered pharmacists to prescribe, dispense, and provide related education on opioid antagonists.

**Kaiser Permanente Hawai'i SUPPORTS SB535.**

Kaiser Permanente Hawai'i unequivocally agrees with the Legislature's finding that deaths caused by opioids are often preventable via timely administration of an opioid antagonist such as naloxone and is firmly committed to empowering health care professionals, such as pharmacists, who can safely provide naloxone and related education about the risks of opioid overdose.

SB535 further clarifies Act 154 Session Laws of Hawai'i 2018, which authorized pharmacists to prescribe and dispense opioid antagonists. Act 154 was passed to build upon Act 68, Session Laws of Hawai'i 2016, in which the Legislature took several steps to reduce opioid-related drug overdoses in the State by encouraging the use of opioid antagonists to assist individuals experiencing or at risk of experiencing an opioid-related drug overdose.

Kaiser Permanente notes that SB535 will help to address objectives in the *Hawaii Opioid Initiative Action Plan*, which is a statewide road map for prevention and treatment of opioid and other substance misuse issues. One of the key focus areas pertains to prevention and pharmacy-based interventions. Specifically, it will help in furtherance of Object 5-1b, which seeks to "modify Hawaii Revised Statutes to allow pharmacists prescriptive authority to prescribe Naloxone to patients and community members to increase access to life-saving medication" (emphasis added).<sup>1</sup>

Thank you for the opportunity to testify on this important measure.

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<sup>1</sup> *The Opioid Initiative 2.0: A Statewide Response to Opioid Use and Other Substance Misuse*, page 17, available at: [https://health.hawaii.gov/substance-abuse/files/2019/01/The-Hawaii-Opioid-Initiative\\_2.pdf](https://health.hawaii.gov/substance-abuse/files/2019/01/The-Hawaii-Opioid-Initiative_2.pdf).



# **UNIVERSITY OF HAWAII SYSTEM**

## **Legislative Testimony**

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Testimony Presented Before the  
Senate Committee on Commerce, Consumer Protection and Health  
Thursday, February 21, 2019 at 9:00 a.m., Rm 229

by  
Marcia Sakai  
Interim Chancellor  
and  
Carolyn Ma, Pharm D, BCOP  
Dean  
Daniel K. Inouye College of Pharmacy  
University of Hawai'i at Hilo

### **SB 535 – RELATING TO PHARMACISTS PRESCRIBING AND DISPENSING OF OPIOID ANTAGONIST**

Chair Baker, Vice Chair Chang, and members of the committee:

My name is Carolyn Ma, I am the Dean for the Daniel K. Inouye College of Pharmacy (DKICP). The University of Hawai'i at Hilo fully supports this bill that will authorize pharmacists to prescribe and dispense an opioid antagonist to patients, family members and caregivers of patients who may be at risk for an opioid overdose. We support the amendment that allows for the prescription for the opioid antagonist be in the name of the individual being treated with the opioid antagonist, or in the name of the individual who is requesting the opioids antagonist or "Opioid Antagonist Recipient" or "OAR".

Thank you for this opportunity to provide testimony.



February 21, 2019

The Honorable Rosalyn H. Baker, Chair  
The Honorable Stanley Chang, Vice Chair  
Senate Committee on Commerce, Consumer Protection, and Health

Re: SB 535 – Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonist

Dear Chair Baker, Vice Chair Chang, and Committee Members:

Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on SB 535, which clarifies the scope of practice of the pharmacist to authorize pharmacists to prescribe and dispense an opioid antagonist to patients, and family members and caregivers of opioid patients.

HMSA appreciates the intent of this Bill, however we respectfully raise the following comments and we ask the committee to adopt the following amendments:

- We believe that the definition of an “at risk” individual is necessary, and we ask that the following language be added to the bill:

An at risk individual is defined as someone who is at an increased risk for opioid overdose, based on a history of overdose, a history of substance use disorder, higher opioid dosages, or concurrent benzodiazepine usage.

- We recommend that the new statutory material being introduced to this measure be removed.
- Finally, we ask that a sunset date of June 30, 2024 be included in this measure, so that we have an opportunity to determine if the goals intended by this measure have been met.

Thank you for allowing us to express our concerns on SB 535. Your consideration of our comments is appreciated.

Sincerely,

Pono Chong  
Vice President, Government Relations

**SB-535**

Submitted on: 2/19/2019 7:43:10 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Bergquist	Testifying for Drug Policy Forum of Hawaii	Support	No

## Comments:

The Drug Policy Forum of Hawai'i strongly supports this measure to continue expanding the access to naloxone, an opioid antagonist that can reverse an overdose, in Hawai'i. We pushed for Act 68 of 2016 that first extended this access to community-based organizations, like the Hawai'i Health and Harm Reduction Center (then the CHOW Project), who are best poised to help some segments of the at-risk community. This bill complements Act 154 of 2018 and would reach an additional group, loved ones and family members of at-risk individuals. Upon enactment, they could more easily procure naloxone in their local pharmacy and help prevent at-home overdoses. Mahalo for the opportunity to testify.





**SanHi**

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 20, 2019

TO: Senator Rosalyn Baker  
Chair, Committee on Commerce, Consumer Protection and Health

*Submitted Via Capitol Website*

FROM: Mihoko Ito

RE: **S.B. 535 – Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonist**  
**Hearing Date: Thursday, February 21, 2019 at 9:00a.m.**  
**Conference Room: 229**

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Dear Chair Baker and Members of the Committee on Commerce, Consumer Protection and Health:

We submit this testimony on behalf of Walgreen Co. (“Walgreens”). Walgreens operates stores at more than 8,200 locations in all 50 states, the District of Columbia, and Puerto Rico. In Hawaii, Walgreens now has 19 stores on the islands of Oahu, Maui, and Hawaii.

Walgreens is in **strong support** of S.B. 535, which seeks to clarify the name on the prescription for an opioid antagonist by allowing pharmacists to prescribe and dispense opioid antagonists to patients, family members or caregivers of an individual who is at risk for an opioid overdose.

This measure addresses an implementation issue in Act 154 (2018) that was passed last year by making clear that pharmacists may prescribe and dispense an opioid antagonist in the name of the individual requesting it. Expanding the availability of this medication is an essential part of the public health response to the opioid epidemic. Without this clarifying language, opioid antagonists cannot be made widely available to individuals at risk for an opioid overdose and those who are in contact with them.

Hawaii is one of the last states where opioid antagonists are not made widely available to the community via pharmacies, and yet community involvement and training in preventing opioid overdoses is essential. Opioid antagonists remain underutilized in many overdose situations because many overdoses occur in places where immediate access to opioid antagonists is unavailable and first responders cannot reach a patient in time. Allowing this medication to be prescribed and dispensed in the name of the individual requesting it would make opioid antagonists more widely available in the community to aid in the reduction of drug overdoses in this state.

Walgreens is committed to comprehensive efforts to combat drug abuse. Nationally, Walgreens is engaged in a comprehensive plan to combat drug abuse by stocking Narcan®, an FDA-approved nasal form of naloxone, in its 8,000 pharmacies across the nation. Pharmacies play a key role in dispensing opioid antagonists because of the accessibility of pharmacies throughout the community, and because pharmacists are trusted, knowledgeable, accessible members of the community. Walgreens believes this bill is one way in which Hawaii can help to address opioid overdoses in the state.

Thank you for the opportunity to submit testimony in strong support of this bill.



## **SB535 Pharmacists Prescribe Naloxone**

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH:

- Sen. Baker, Chair; Sen. Chang, Vice Chair
- Thursday, Feb. 21, 2019: 9:00 am
- Conference Room 229

### **Hawaii Substance Abuse Coalition Supports SB535:**

*GOOD MORNING CHAIRS, VICE CHAIRS AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization of almost 40 non-profit alcohol and drug treatment and prevention agencies.*

Utilizing pharmacy-based strategies to address prescription harm reduction for potential opioid misuse and/or overdose is a key national prevention initiative for curtailing the risk of opioid misuse/overdose.

HSAC supports that pharmacies can provide opioid antagonist (naloxone) to individuals as well as their families or caregivers.

This bill is a huge opportunity for our community to effectively address opioid overdose and misuse problems.

We appreciate the opportunity to provide testimony and are available for questions.

**SB-535**

Submitted on: 2/19/2019 9:11:31 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

**SB-535**

Submitted on: 2/17/2019 2:24:30 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nicholas Tsoi	Testifying for Daniel K. Inouye College of Pharmacy	Support	No

Comments:

Aloha,

My name is Nicholas Tsoi and I am a 4th year pharmacy student with the Daniel K. Inouye College of Pharmacy. I support this bill because the risk of opioid overdose is often overlooked in our community, and by pharmacists being able to provide a proper "antidote" we can not only effectively manage pain in a safer setting, but prevent hospitalizations due to opioid overdose.

Mahalo,

--Nicholas Tsoi

**SB-535**

Submitted on: 2/15/2019 2:39:07 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ronald Taniguchi, Pharm.D.	Individual	Support	No

Comments:

**SB-535**

Submitted on: 2/16/2019 7:59:44 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christina Gallegos	Individual	Support	No

Comments:

I am a pharmacy student, and I support this bill because It can save many lives.

**SB-535**

Submitted on: 2/16/2019 5:46:57 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marie Flore Cidera	Individual	Support	No

Comments:



**SB-535**

Submitted on: 2/17/2019 12:15:08 AM

Testimony for CPH on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan McMillan	Individual	Support	No

## Comments:

I am a student pharmacist and I support SB535 (Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonists). We are being trained to help where needs are neglected in prescribing and supporting the healthcare system where physicians are needed in support of providing excellent patient care. Our Doctor of Pharmacy Curriculum includes training in immunizations, diabetes testing, hypertension screening—in addition to the chemistry background and therapeutics. As the future of medicine is changing, we are too. We look forward to helping others through our PharmD education. Thank you for supporting us!

**SB-535**

Submitted on: 2/18/2019 11:37:42 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathleen Nguyen	Individual	Support	No

Comments:

I am a pharmacy student and I support this bill because this will not only advance our profession but will also help those in need as well as lower the indecencies of overdose.

**SB-535**

Submitted on: 2/17/2019 7:50:28 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wilson Datario	Individual	Support	No

Comments:

**SB-535**

Submitted on: 2/18/2019 3:55:49 PM

Testimony for CPH on 2/21/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Kawakami	Individual	Support	No

Comments:

Dear Committee Members,

My name is Dr. Chad Kawakami and I am an Assistant Professor for the Daniel K. Inouye College of Pharmacy. I strongly support this bill. Pharmacists are the most accessible health care professional. In addition, encouraging and prescribing naloxone to at risk individuals at the point of dispensing is among the most effective ways to get this life saving medication into the hands of those who need it most.

A yes vote on this measure is a vote to save a life. Thank you very much for your consideration.

Humbly Submitted,

Chad Kawakami

Testimony for Public Hearing  
By CPH  
February 21, 2019 9:00 AM

David Cao  
1175 Komohana Street  
Hilo, HI 96720

SB 535 – RELATING TO PHARMACISTS PRESCRIBING AND DISPENSING OF OPIOID ANTAGONIST

Good morning. My name is David Cao and I am a student pharmacist at the UHH Daniel K. Inouye College of Pharmacy (DKICP). I support this bill that will allow pharmacists to prescribe and dispense an opioid antagonist to patients and those who are taking care of opioid patients.

Naloxone is used to reverse the effects of opioids. In the event of an opioid overdose, naloxone will be able to save the patient if administered in time. Patients suffering from chronic pain commonly use opioids. Those who become dependent on opioids are more likely to experience an overdose. Deaths occurring due to an opioid overdose are preventable with naloxone but there is limited access to naloxone because of the restrictions on who is currently allowed to prescribe and dispense it.

Pharmacies are easily and readily accessible for people in the community. Allowing pharmacists to prescribe and dispense naloxone will increase the availability of naloxone to allow caregivers of opioid patients to reverse the effects of an opioid overdose in time and save the lives of many patients.

Thank you for your time and consideration and the opportunity to testify on behalf of SB 535.

Sincerely,

A handwritten signature in black ink that reads "David Cao". The script is cursive and fluid, with the first letters of "David" and "Cao" being capitalized and prominent.

David Cao